

Application Serial No. 09/292,132
Response to March 15, 2004 OA

MI22-1171

REMARKS

Claims 55-59, 79, 86 and 92 are withdrawn. Claims 51-53, 62-75, 80-81, 87-91, and 93-98 remain in the application. Reconsideration of the application in view of the amendments and the remarks to follow is requested.

The Examiner has required restriction under 35 U.S.C. §121 between:

1. Claims 55-59, 79, 86, and 92, claiming gate oxide and gate, wherein gate oxide having outwardly opposing edges laterally aligned with edges of the gate, concentrating at least one of chlorine and fluorine in the gate oxide and then forming sidewall spacers on opposing edge of gate oxide and gate, wherein spacers are devoid of fluorine; and

2. Claims 51-53, 62-75, 80-81, 87, 88-91, and 93-98, claiming formation of spacers comprising chlorine and fluorine and laterally extended gate oxide and forming spacers over the gate oxide (pg. 2 of paper no.20040307).

Applicant hereby elects claim set 2 which includes claims 51-53, 62-75, 80-81, 87, 88-91, and 93-98 for prosecution on the merits.

Please note, respectfully, the Examiner has mis-characterized claim set 2 which Applicant has elected for prosecution. For example, the Examiner describes claim set 2 as claiming "formation of spacers comprising chlorine" and independent claim 51 **does not recite to chlorine**. For at least reason, correction is needed. Please provide a corrected description of claim set 2 in the next office action.

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Further, Applicant herewith submits a duplicate copy of the Supplemental Information Disclosure Statement and Form PTO-1449 filed in this application on January 2, 2003. No initialed copy of the PTO-1449 has been received back from the Examiner. To the extent that the submitted reference listed on the Form PTO-1449 has not already been considered, and the Form PTO-1449 has not been initialed with a copy being returned to Applicant, such examination and initialing is requested at this time, as well as return of a copy of the initialed Form PTO-1449 to the undersigned.

In view of the foregoing, allowance of all pending claims is requested. This application is now believed to be in immediate condition for allowance, and action to that end is respectfully requested. If the Examiner's next anticipated action is to be anything other than a Notice of Allowance, the undersigned respectfully requests a telephone interview prior to issuance of any such subsequent action.

Respectfully submitted,

Dated: 6-30-04

By: 
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